

REMARKS

This paper is submitted in reply to the Advisory Action mailed February 14, 2007. The amendment contained in the Reply filed January 26, 2007 were not entered because Applicants deleted subject matter of elected species from the generic claims. Reconsideration of the Final Office Action mailed July 26, 2006, (hereinafter "instant Office Action") and withdrawal of the rejection of claims 1-8, 10, 46 and 47, are respectfully requested.

Office Action, claims 1-8, 10, 11 and 46-52 are listed as pending, claims 11 and 48-51 are listed as withdrawn from consideration and claims 1-8, 10, 46 and 47 are listed as rejected. On page 6 of the instant Office Action the Examiner states that claim 52 is allowed.

Applicants have amended claims 2, 3 and 6 to correct typographical errors.


The Examiner has maintained the rejection of claims 1-8, 10, 46 and 47 under 35 U.S.C. §103(a) over Calderwood et al., WO 98/41525. Applicants respectfully traverse this rejection and maintain the arguments presented in the Replies filed November 30, 2004, March 26, 2004, July 11, 2003, February 11, 2003, the RCE filed October 24, 2005 and the Reply filed May 11, 2006. Without conceding to the correctness of the Examiner's rejections and for the sole purpose of expediting prosecution of the instant application and to place it in condition for allowance, Applicants have amended claim 1 to deleted S, S(O), S(O)₂, -C(O)N(R)-, -N(R)C(O)-, -N(R)C(O)N(R)-, -SO₂N(R)- and -C(O)O- from the definition of L. In the Advisory Action the Examiner pointed out that the amendments in the Reply filed January 26, 2007 eliminated the need for the proviso at the end of claim 1, due to the deletion of "-N(R)SO₂-" and "-SO₂N(R)-" from the definition of L. With the current amendments, the proviso at the end of claim 1 is still required. Claim 1 as currently amended still encompasses all of the compounds originally listed in claim 46, wherein L is -N(R)S(O)₂, so Applicants have not deleted any compounds from claim 46. Applicants also have not removed "NHSO₂" from claim 47.

Based upon the foregoing, the rejection of claims 1-8, 10, 46 and 47 under 35 U.S.C. §103(a) over Calderwood et al., WO 98/41525, is obviated and should be withdrawn.

In view of the foregoing remarks, Applicants believe that claims 1-8, 10 and 46, 47 and 52 are in condition for allowance. Prompt and favorable action is earnestly solicited. If the Examiner believes that a telephone conference would advance the condition of the instant application for allowance, Applicants invite the Examiner to call Applicants' agent at the number noted below.

Respectfully submitted,

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